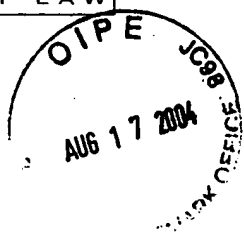




August 17, 2004



1299 PENNSYLVANIA AVE., NW
WASHINGTON, DC 20004-2402
PHONE 202.783.0800
FAX 202.383.6610
A LIMITED LIABILITY PARTNERSHIP

MICHAEL J. BELL
PARTNER
202.383.6500
bellm@howrey.com

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Mail Stop Missing Parts

Re: U.S. Patent Application Serial No. 10/823,774
Filed: April 14, 2004 Confirmation No.: 4706
For: **Electrical Stimulation for Treating Neuropathy
Using Asymmetric Biphasic Signals**
Inventors: David B. Phillips
Attorney Docket No.: 05610.0002.NPUS00

Sir:

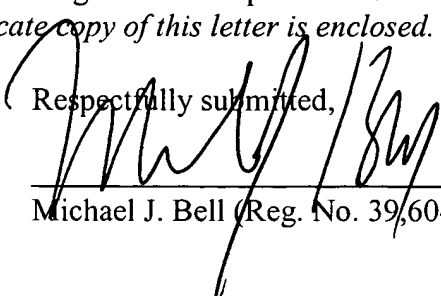
The following documents are forwarded for appropriate action by the U.S. Patent and Trademark Office:

1. ***Response to Notice to File Missing Parts of Nonprovisional Application***
2. ***Executed Combined Oath and Declaration and Power of Attorney***
3. ***PTO-Returned Copy of Notice to File Missing Parts***
4. ***Check # 1092 for \$468.00 (basic filing fee and declaration surcharge)***
5. ***Return Receipt Postcard***

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

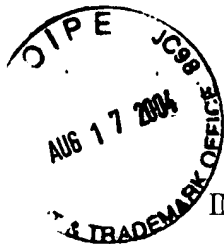
The U.S. Patent and Trademark Office is hereby authorized to charge any fee, or credit any overpayment, to our Deposit Account No. 08-3038. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 08-3038, referencing the above-docket number. *A duplicate copy of this letter is enclosed.*

Respectfully submitted,



Michael J. Bell (Reg. No. 39,604)

Enclosures



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

David B. PHILLIPS

Appln. No. 10/823,774

Filed: April 14, 2004

For: **Electrical Stimulation for
Treating Neuropathy using
Asymmetric Biphasic Signals**

Confirmation No.: 4706

Art Unit: To be assigned

Examiner: To be assigned

Atty. Docket: 05610.0002.NPUS00

RESPONSE TO NOTICE TO FILE MISSING PARTS
Application Filing Date Granted

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

MAIL STOP MISSING PARTS

Sir:

In response to the Notice to File Missing Parts of Application--Filing Date Granted dated **June 24, 2004**, Applicant submits the following documents for appropriate action by the U.S.

Patent and Trademark Office:

- ☐ Petition for Extension of Time under 37 C.F.R. § 1.136;
- ☒ Copy of the Notice to File Missing Parts;
- ☒ Combined Oath and Declaration, executed by the inventor(s);
- ☐ Assignee Certificate Under 37 C.F.R. § 3.73(b) with copy of Assignment attached;
- ☐ Applicants claim Small Entity Status;
- ☒ Return postcard; and
- ☒ Check # 1092 for \$468.00 to cover:

\$385.00 - basic filing fee and excess claims fee
\$ 65.00 - surcharge for late filing of declaration

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038 referencing the above docket number. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 08-3038 referencing the above docket number. *A duplicate copy of this Response is enclosed.*

Respectfully submitted,



Michael J. Bell (Reg. No. 39,604)

Date: August 17, 2004

HOWREY SIMON ARNOLD & WHITE, LLP
Box No. 34
1299 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2402
(202) 783-0800



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/823,774	04/14/2004	David B. Phillips	05610.0002.NPUS00

22930
HOWREY SIMON ARNOLD & WHITE LLP
BOX 34
1299 PENNSYLVANIA AVENUE NW
WASHINGTON, DC 20004



CONFIRMATION NO. 4706

FORMALITIES LETTER



OC000000013049650

Date Mailed: 06/24/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/18/2004 BSAYAS11 00000054 10823774

01 FC:2001	385.00 OP
02 FC:2051	65.00 OP
03 FC:2202	18.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$18 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$468 for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.

RECEIVED
DOCKET DEPT.
HOWREY SIMON ARNOLD & WHITE

JUN 28 2004

WASHINGTON, D.C.

- Total additional claim fee(s) for this application is **\$18**
 - **\$18** for 2 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Abeke Belay

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY